

REMARKS

I. STATUS OF CLAIMS

No new claims are added and no claims are canceled in this reply. Claims 1-29 are pending. Certain claims have been amended, solely to improve clarity and not for any reason relating to patentability.

II. INTERVIEW

Applicant thanks the Examiner for extending the courtesy of a telephone interview to the Applicant's undersigned representative. Applicant understands that the Examiner will prepare and mail an interview summary.

III. ISSUES RELATING TO PRIOR ART

A. CLAIM OVERVIEW

Claim 1, as amended, features automatically assigning a second version number for a second computer program module of one or more interacting modules based on a corresponding instance from a plurality of instances of a data structure contained in the mapping and based on second information describing interface capabilities of the second computer program module. The automatic assignment is facilitated by creating first information describing the computer program module interface capabilities at one or more times and storing the first information in a corresponding plurality of instances of a data structure wherein each instance of the data structure corresponds to the interface capabilities at one or more plurality of times. A mapping associates the plurality of instances with a corresponding plurality of version numbers for the first computer program module.

Thus, a second module is given a version number automatically, based on determining whether its interface capabilities match those in a mapping of capabilities of the first module to version numbers. After the second module is automatically assigned a version number, the method provides for determining compatibility of the modules based on a first version number for the first module and the second version number for the second module.

The references cited are fundamentally different. The claims relate to maintaining compatibility among computer program modules that interact through a software module interface. In contrast, the cited art pertains only to updating a router network through BGP

messages—a completely different problem—and has no teaching of maintaining compatibility of computer program modules across different platforms.

The Office Action does not fairly consider the specific features of the claims. Applicant understands that the Office takes the broadest reasonable interpretation of a reference. However, this policy cannot be used to adopt an interpretation so broad that specific claim features are glossed over.

The amendment to the claims provides clarification that both the interface and modules described in the claims are computer program modules. Specifically, a core computer program module interface ensures compatibility between interacting computer program modules on different platforms. Examples of the claimed interface and modules are class files expressed in Java.

The phrase “computer program module interface capabilities” in Claim 1 is added to clarify that the information that is created and stored describes capabilities and compatibility of the interface core module with interacting modules. Examples of such capabilities include program routines and routine parameters. Interacting modules can determine version capabilities based on matching the subset of the interacting module’s capabilities with the interface capabilities stored in the mapping.

B. CHEN REFERENCE—35 U.S.C. § 102(e)

Claims 1-4, 6-13, and 18-29 stand rejected under 35 U.S.C. § 102(e) as allegedly anticipated by Chen. The rejection is respectfully traversed.

Creating and storing information that describes interface capabilities is fundamentally different than the use of the BGP router updating messages described in Chen. Examples of the capabilities of an interface, such as an API, include available program routines, function calls, and parameters. The BGP messages do not describe computer program interface capabilities at particular release times. Further, BGP messages do not contain information equivalent to the interface capabilities of a software module. The description of an interface of a high-level program module is not contained in a network-level BGP message.

Storing the information describing the interface in instances of a data structure is not comparable to FIG. 8, address field 804 contained in the BGP message. The BGP message is discarded upon completion of routing updates.

There is no mapping created between the BGP messages and version numbers. The Office Action asserts that message fields of BGP messages correspond to the instances of a data structure. However, the BGP messages are not mapped to version numbers and then stored in a computer program module. The claimed mapping pertains to instances of data structures that contain information describing the computer program interface at various release times.

The claims include automatically assigning a second version number to a second module that interacts with the first module by finding at least one instance in the mapping corresponding to the second module's capabilities. The Office Action does not identify a specific part of Chen that allegedly shows this claim feature. In Chen FIG. 8 and the associated text do not describe such an automatic assignment of version number to a computer program module. The neighbor version number is used to determine which routers require an update message. No automatic assignment is provided; the Office Action appears to infer automatic assignment, but this is incorrect.

To support an anticipation rejection, a reference must show each and every claim element, step or limitation in the same combination as claimed. An anticipation rejection is unsupported in the absence of even one element, step or limitation. Because Chen has no teaching of the complete claimed combination, Chen cannot support an anticipation rejection. Reconsideration is respectfully requested.

C. CHEN IN VIEW OF RHEKHTER AND MUELLER

Claims 5 and 14-17 stand rejected under 35 U.S.C. §103 as allegedly obvious over Chen in view of Rekhter, or Chen in combination with Rekhter and Mueller. The rejection is respectfully traversed.

Chen is assigned on its face to Cisco Technology, Inc. The present application is also assigned to Cisco Technology, Inc., as indicated in an assignment recorded in the U.S. Patent & Trademark Office at reel 011819, frame 0262. Therefore, Chen does not qualify as a reference under the common assignee exception, 35 U.S.C. §103(c). Applicant respectfully requests removal of Chen as a reference for the purposes of any §103 rejection in the case.

Because all the §103 rejections in the case rely on Chen as a base reference, and because Chen does not qualify as a reference under §103, Applicant is not obligated to present specific arguments about the references and the claims at this time.

However, in the interest of advancing prosecution, Rekhter, RFC 1771, defines the Border Gateway Protocol (BGP) and is not in the same technical field as Applicant's application and claims. Software version compatibility is a more appropriate art. Rekhter should be removed as non-analogous art. In substance, the use of an OPEN message format does not correlate to signature of routines. Signatures of routines as claimed relates to methods or procedures written in a high-level language such as the Java programming language. The OPEN message format is a network protocol and is fundamentally different from the techniques described in the application. Further, nothing in RFC 1771 cures the deficiency of Chen in failing to provide anything similar to Applicant's claimed "automatic assignment" step.

Similarly, Mueller fails to cure this deficiency of Chen. Mueller provides a method of proving that a CD is an authorized original by utilizing a unique catalog code that is stored in a sub channel data stream on the CD that is derived using digital signature techniques. Mueller has nothing about automatically assigning a version number to a software module, based on comparing an interface description to a mapping.

For all the foregoing reasons, the §103 rejections are traversed. Reconsideration is respectfully requested.

III. CONCLUSIONS & MISCELLANEOUS

For the reasons set forth above, it is respectfully submitted that all of the pending claims are now in condition for allowance. Therefore, the issuance of a formal Notice of Allowance is believed next in order, and that action is most earnestly solicited.

The Examiner is respectfully requested to contact the undersigned by telephone if it is believed that such contact would further the examination of the present application.

A petition for extension of time, to the extent necessary to make this reply timely filed, is hereby made. If applicable, a law firm check for the petition for extension of time fee is enclosed herewith. If any applicable fee is missing or insufficient, throughout the pendency of this application, the Commissioner is hereby authorized to charge any applicable fees and to credit

///

///

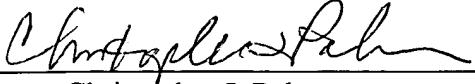
///

any overpayments to our Deposit Account No. 50-1302.

Respectfully submitted,

HICKMAN PALERMO TRUONG & BECKER LLP

Dated: 14 Mar 2005



Christopher J. Palermo
Reg. No. 42,056

2055 Gateway Place Suite 550
San Jose, California 95110-1089
Telephone No.: (408) 414-1080
Facsimile No.: (408) 414-1076